

REMARKS

Claims 1 – 8 remain in the application. Claims 1 – 3, 5, and 8 have been amended. Claim 9 has been added. Reconsideration of this application in view of the amendments noted is respectfully requested.

Claims 1 – 8 were rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action states that in claim 1 the sheets are set forth as being “bonded together in at least a region below an engaging section of said zipper tapes” and then the bond is set forth as “out of regions below and above the engaging section.” The Office Action states that these limitations appear to be contradictory.

Applicant has amended claim 1 to delete the phrase “out of regions below and above the engaging section.” Applicant also refers to the specification, page 9, line 12 through page 10, line 24, which describes these limitations in detail. Applicant submits that claim 1 and its dependencies are now definite. Hence, applicant respectfully requests that the Section 112, second paragraph rejection of claims 1 – 8 be withdrawn.

In further regards to the amendments to the claims, claim 1 has been amended to include the limitations of claim 2. Accordingly, these limitations have been deleted from claim 2. Claim 2 has been further amended to now include the limitations that “a polyethylene type resin or polypropylene type resin is formed by combined extrusion with one of the zipper tapes on the outer face of the one of the zipper tapes made from a hot melt type adhesive resin, and a hot melt type adhesive resin is formed by combined extrusion with the other zipper tape on the outer face of the other zipper tape made from a polyethylene type resin or polypropylene type resin.” Support for these limitations may be found in the specification on page 6, lines 22 – 30.

Claims 3 and 5 have been amended to include the limitation that a hot melt type adhesive resin section is “formed by combined extrusion” on one of the zipper tapes at least in a bonding region formed by heat sealing below the engaging section of the zipper

tapes. Support for this limitation may also be found in the specification on page 6, lines 22 – 30.

Claim 8 has been amended to depend from claim 3 instead of claim 1. Claim 9 has been added. Newly added claim 9 is the same as claim 8, except that claim 9 depends from claim 5.

Claims 1 – 8 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Van Erden (U.S. Patent No. 6,327,837) in view of Kasai (U.S. Patent Application Pub. No. 2004/0025308). Applicant respectfully traverses this rejection.

Neither Van Erden nor Kasai alone or in combination teach or suggest the limitations of claims 1 – 8. For example, neither Van Erden nor Kasai teach or suggest a packaging bag with zipper including front side and rear side sheet sections forming said bag; a male zipper tape and a female zipper tape bonded to inner faces of the respective front side and rear side sheet sections, or rear side and front side sheet sections, in a vicinity of an opening end of the bag located at an upper end of the bag when said bag is in an upright state, the opening end of the bag being located above said zipper tapes and being closed by means of heat sealing so that said male and female zipper tapes are enclosed within said bag, and, wherein one of said zipper tapes is made from a hot melt type adhesive resin, and the other zipper tape is made from a polyethylene type resin or polypropylene type resin of a same kind as a material forming inner layers of the bag, and said respective zipper tapes are bonded together in at least a region below an engaging section of said zipper tapes, with heat sealing strength of a degree that allows the zipper tapes to be manually peeled apart, by means of an interface peeling action, an interlayer peeling action, or a cohesive peeling action, as claim 1 requires.

Therefore, claim 1 is patentable over Van Erden and Kasai, and any combination thereof. Claims 2 – 9, depending from claim 1, are also allowable. For these reasons, applicant respectfully requests that the Section 103(a) rejection of claims 1 – 8 over Van Erden in view of Kasai be withdrawn.

Applicant submits that claims 1 – 9 are allowable over the cited references.

U.S. Application No. 10/700,901 -- 7

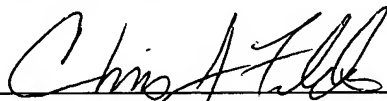
A Petition for a One Month Extension of Time and a Request for Continued Examination are included with this response. Also, a PTO-2038 authorizing payment of \$455.00 to cover the fees for the one month extension of time and RCE is included herewith.

This amendment and request for reconsideration is felt to be fully responsive to the comments and suggestions of the examiner and to present the claims in condition for allowance. Favorable action is requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Chris J. Fildes", is written over a horizontal line.

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